

Probl2B
(7/93)

**United States District Court
for the
District of Massachusetts**

**Request for Modifying the Conditions or Term of Supervision
with Consent of the Offender**
(Probation Form 49, Waiver of Hearing is Attached)

Name of Offender: John McCarthy

Case Number: 03CR10370-005

Name of Sentencing Judicial Officer: Honorable Douglas P. Woodlock, U.S. District Judge

Date of Original Sentence: 11/22/05

Original Offense: 1 Count - Conspiracy to Possess with Intent to Distribute, and to Distribute Marijuana in violation of Title 21 U.S.C. § 846

Original Sentence: 6 months' imprisonment to be followed by 36 months supervised release

Type of Supervision: Supervised Release

Date Supervision Commenced: 6/8/06

PETITIONING THE COURT

- ☐ To extend the term of supervision for years, for a total term of years
☒ To modify the conditions of supervision as follows:


1. The defendant shall perform 40 hours of community service as directed by the Probation Department.

CAUSE

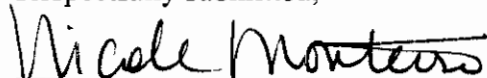
We respectfully ask the Court to modify Mr. McCarthy's conditions of supervision to address a recent incident involving non-compliance. On 1/18/08, the probation officer attempted to reach Mr. McCarthy by telephone to conduct a home visit. During this conversation, Mr. McCarthy stated to the probation officer that not only was he not home but that he was in Fort Myers, Florida, visiting his parents and that his girlfriend surprised him with this trip. Since this travel was never authorized by the probation office, we view this behavior to be a violation of his conditions of supervision and suggest that the above modification is an appropriate response given Mr. McCarthy's positive adjustment to supervision thus far.

Attached you will find a "Waiver of Hearing to Modify Conditions" signed by Mr. McCarthy. Should Your Honor agree with the modification listed above, please indicate by signing below.

Reviewed/Approved by:


Brian McDonald
Supervising U.S. Probation Officer

Respectfully submitted,

By 
Nicole Monteiro
U.S. Probation Officer
Date: 2/19/08

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**Request for Modifying the
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THE COURT ORDERS

- ☐ No Action
☐ The Extension of Supervision as Noted Above
☒ The Modification of Conditions as Noted Above
☐ Other



Signature of Judicial Officer



Date
